

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

ANTHONY NELSON,)	
)	
Plaintiff,)	
)	Case No. 2:13-cv-0029
v.)	Judge Sharp / Knowles
)	
PUTNAM COUNTY JUSTICE CENTER,)	
et al.,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

Plaintiff, a pro se prisoner proceeding in forma pauperis, filed this action against a number of Defendants pursuant to 42 U.S.C. § 1983. Docket No. 1. Upon an initial review of the Complaint, Judge Sharp dismissed Plaintiff's claims against all Defendants except unidentified members of the "Medical Staff" at the Putnam County Justice Center. Docket No. 4. Judge Sharp referred this action to the undersigned so that Plaintiff could ascertain the identities of the Medical Staff involved in his care. *Id.* Judge Sharp's Order further provided that the undersigned "should set a deadline for the plaintiff to amend his complaint to identify these individuals by name, and thereafter to effect service on these individuals." *Id.*, p. 3.

Shortly thereafter, the action was dismissed twice and reopened twice. On August 13, 2013, Judge Sharp entered an Order again referring this case to the undersigned and stating in part that Plaintiff had "sought an extension of time to serve the defendants and to amend his complaint." Docket No. 25, p. 2. Judge Sharp directed the undersigned to address this issue. *Id.*

Therefore, on August 27, 2013, the undersigned entered an Order requiring Plaintiff to

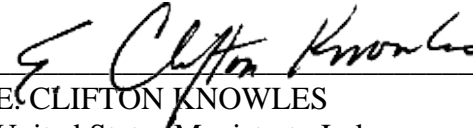
file his amended complaint on or before September 16, 2013. Docket No. 29, p. 1. Plaintiff, however, did not file an amended complaint, as required by the referenced Order, even though he had identified a nurse practitioner, Rebecca Harris. Docket No. 28.

On September 20, 2013, the undersigned entered an Order, *sua sponte*, granting Plaintiff additional time, to and including October 11, 2013, in which to file his amended complaint. Docket No. 35, p. 1. That Order stated in relevant part, "If Plaintiff fails to comply with the instant Order, the undersigned will recommend that this action be dismissed." *Id.*

Plaintiff failed to file his amended complaint by October 11, 2013, and he has not filed an amended complaint as of the date of the entry of the instant Order.

For the foregoing reasons, the undersigned recommends that this action be DISMISSED.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.


E. CLIFTON KNOWLES
United States Magistrate Judge